

Contact: John Nash

PROPOSED BOARD POLICY REVISION – POLICY 2.3.8.B

Action Requested: Approve clarifications to Board Office approvals for design professionals, construction managers, and contractors.

Executive Summary:

- To eliminate one administrative step, the Board Office would like to combine the selection and agreement approvals into one step for design professionals, ancillary design professionals, and feasibility study consultants.
- Since a Construction Manager-Agent (CMA) is a consultant like a design professional, the Board Office would approve the CMA Selection and Agreement in one step as well.
- To simplify Board Office contract approval thresholds for ancillary design consultants and feasibility study consultants, thresholds for both would be set at \$200,000.
- Since Construction Manager at Risk and Design-Build contracts provide construction, the Board Office would continue to approve their contract awards and contracts separately.

Proposed policy 2.3.8.B change:

ii. Selection of Prime Design Consultants for Projects with Budgets of \$1,000,000 or More

g. The **selection** committee's summary report **shall be combined with the agreement and** forwarded to the Board Office ~~with the institution's request for approval. of the selected firm.~~

j. The requirements of this section do not apply to the selection of ancillary design consultants such as commissioning agents, ~~or the provision of testing services.~~ **quality control, material testing, equipment consultant, testing and balancing, move planning, and move execution.** The institutions shall use their discretion to determine the best method to select ancillary **design** consultants, ~~such as commissioning agents, quality control or testing services,~~ and shall document the method used. Agreements for ancillary services require approval of the Board Office only when the ~~negotiated fee exceeds \$150,000~~ **fee is \$200,000 or greater.**

iii. Construction Manager Services Selection Process

b. **The selection processes for Construction Manager - Agent** should follow those outlined above for design consultants.

c. **Just as the contract award and contract approval are two separate Board Office approvals when using the Design-Bid-Build delivery method, the contract award and the contract approval should be two separate Board Office approvals, when using the Construction Manager at Risk or Design-Build delivery methods.**

e. ~~The provision of services by construction managers is subject to the policies governing design consultants as outlined above.~~

iv. Use of Consultants for Feasibility Studies

c. The institution's chief business officer or designee shall approve the **selection and consultant** agreement for feasibility studies ~~study agreements~~ with a total anticipated cost of less than ~~\$100,000~~ **\$200,000**.

d. The Board Office shall approve the selection and ~~the agreement of the consultant and the agreement for all~~ **for** feasibility **studies** ~~study agreements~~ with **a total** anticipated cost of ~~\$100,000~~ **\$200,000** or greater. The institution shall **include** ~~provide the Board Office with~~ a description of the selection process and the rationale for selection of the consultant. ~~with its request for approval.~~